

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 11-20551-018

Hon. Robert H. Cleland

v.

ADELFO PAMATMAT,

Defendant.

**EX PARTE MOTION FOR EXPERT SERVICES TO ASSIST IN THE PREPARATION
OF DEFENDANT ADELFO PAMATMAT'S SENTENCING HEARING**

NOW COMES the Defendant, ADELFO PAMATMAT, by and through his attorney, PATRICIA A. MACERONI, and moves this Honorable Court for an Order authorizing payment for expert services to assist in the preparation of his sentencing hearing. In support thereof, Mr. Pamatmat states:

1. That Mr. Pamatmat stands before this Court convicted by a jury of two criminal conspiracy counts-one count of Conspiracy to Distribute and Possess with Intent to Distribute Controlled Substances and one count of Health Care Fraud Conspiracy, contrary to 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 1347 (a); 18 U.S.C. § 1349. Current counsel was appointed to represent following the completion of the jury trial, before Mr. Pamatmat was sentenced.
2. That this Court is authorized to approve payment for expert services pursuant to the Criminal Justice Act, 18 USC § 3006. Pursuant to § 310.30 of the Criminal Justice Act, the request for expert services may be made by *ex parte* application.
3. That Counsel for Mr. Pamatmat is requesting the use of a forensic psychologist in this matter to assist her in communicating with Mr. Pamatmat in order to prepare for his sentencing

hearing. As the Court is aware, Mr. Pamatmat was immediately taken into federal custody following the return of the jury verdict. He had remained at liberty during the trial. Since his incarceration, Mr. Pamatmat has become extremely depressed and engaged in uncharacteristic behavior. Defense Counsel needs the assistance of a forensic psychologist to assist her in representing Mr. Pamatmat consistent with her mandates and responsibilities under the Sixth Amendment and Strickland v Washington, 466 U.S. 668 (1984).

4. Defense Counsel has reviewed the probation department's pre-sentence report and interviewed her client. In order to properly prepare and advocate for Mr. Pamatmat at his sentencing hearing, the appointment of an expert to is necessary.

5. That Defense Counsel hereby requests that this Honorable Court appoint Jeffrey Wendt, PH.D to evaluate Defendant. Defense Counsel has utilized Dr. Wendt's services in the past and he has assisted several attorneys at the Federal Defenders Office as well as other CJA attorneys. He has been qualified as an expert in the Eastern District of Michigan, as well as other federal districts and state courts. He is familiar with conducting the necessary testing and interviews in a prison setting.

WHEREFORE, Defendant Adelfo Pamatmat respectfully requests this Honorable Court authorize payment for the appointment of Dr. Jeffrey Wendt to evaluate him in order to assist in the preparation of a defense as well as enter an order allowing the evaluation to be conducted at Mr. Pamatmat's current place of incarceration which is the FDC Milan.

Respectfully submitted,

s/Patricia A. Maceroni
PATRICIA A. MACERONI (P44124)
Attorney for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No.11-20551-18
Hon. Robert H. Cleland

v

ADELFO PAMATMAT-D 18,

Defendant.

**EX PARTE ORDER FOR EXPERT SERVICES TO ASSIST IN THE PREPARATION OF
DEFENDANT ADELFO PAMATMAT'S SENTENCING**

NOW COMES the Court, after having read the *Ex Parte* Motion filed by Defense Counsel, and being otherwise fully advised of the premises herein, and hereby orders that Dr. Jeffrey Wendt is hereby appointed to conduct an examination of the Defendant Adelfo Pamatmat in order to assist in the preparation of his sentencing hearing. Further, Dr. Wendt is hereby authorized to conduct the examination at Mr. Pamatmat's current place of incarceration. Pursuant to the CJA's current payment schedule, Dr. Wendt's fee shall not exceed \$2,500.00 (two thousand five hundred and zero) dollars.

IT IS SO ORDERED.


Hon. Robert H. Cleland

DATE: DEC 07 2015